



**US Army Corps
of Engineers.**

SAN FRANCISCO DISTRICT

PUBLIC NOTICE

NUMBER: 04-02

DATE: 16 September 2004

**Regulatory Branch
333 Market Street
San Francisco, CA 94105-2197**

To Whom It May Concern,

The U.S. Army Corps of Engineers – San Francisco District (“Corps”), in consultation with the U.S. Coast Guard, has concluded that the vessel, “ELIZABETH A,” and sunken tugboat, “CAPTAIN AL,” each currently pose a hazard to navigation in the Oakland Inner Harbor Tidal Canal just north of the Park Street Bridge, which connects the cities of Alameda and Oakland. This constitutes formal notice to the respective owners, lessees or operators of the ELIZABETH A and CAPTAIN AL that they must immediately eliminate the respective hazards posed by the ELIZABETH A and CAPTAIN AL. A vessel’s owner is financially liable for the removal of the vessel when it poses a hazard to navigation. Significantly, an owner may not delegate his liability by selling, transferring, or abandoning the vessel. The Corps will presume that the respective owners of the ELIZABETH A and CAPTAIN AL abandon salvage rights in the vessels unless they immediately respond to the Corps – in writing – to the contrary. If the Corps is forced to remove the ELIZABETH A and/or CAPTAIN AL, the respective owners must reimburse the Corps for all reasonable costs associated with the respective removal actions, including – but not limited to – preparation of removal plans; contract preparation; contract administration; direct removal costs; labor costs; equipment costs; and disposal costs. Along with seeking reimbursement for reasonable removal costs, the Corps will also pursue other appropriate civil and criminal action against the respective owners of the ELIZABETH A and CAPTAIN AL if they do not immediately eliminate the hazard posed by their vessels. Mike Dillabough, the Corps’ point-of-contact for this action, may be reached by mail at “U.S. Army Corps of Engineers – San Francisco District; 333 Market Street; San Francisco, CA; 94105” or by phone at 415-977-8444.